

REMARKS

This application has been reviewed in light of the Office Action dated June 11, 2008. Claims 1-9, 11-14, 16-25, and 27-29 are presented for examination, of which Claims 1, 13, 17, and 29 are independent in form. Claims 1, 13, 17, and 29 have been amended to define Applicants' invention still more clearly. Favorable reconsideration is requested.

The Office Action rejected Claims 1-9, 11-14, 16-25, and 27-29 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Application Publication No. 2001/0034720 (*Armes*). Applicants respectfully traverse this rejection and submit that amended independent Claims 1, 13, 17, and 29, together with the claims dependent therefrom, are patentably distinct from the cited prior art for at least the following reasons.

Amended independent Claim 1 recites, in part, “determining, by the card payment system provider, that the user is a potential customer for an access provider based at least in part on user information not available to the access provider . . . and returning an approval message to said access provider . . . , wherein, based at least in part on the approval message, the user is granted access to the free trial provided by the access provider without the access provider receiving confidential user information from the user or the card payment provider system” (emphasis added).

Armes “facilitates transactions between a first party . . . and a second party . . . by providing the cardholder with a secondary transaction number that is associated with a cardholder's primary account, (e.g., charge card), wherein the cardholder presents or transmits the transaction number—not the primary charge card number—to the merchant to initiate a transaction.” *Armes*, paragraph 13. While *Armes* facilitates transactions using a

secondary transaction number, nothing in *Armes* has been found to teach or suggest “determining . . . that the user is a potential customer for an access provider based . . . on user information not available to the access provider” and granting “the user . . . access to the free trial provided by the access provider without the access provider receiving confidential user information from the user or the card payment provider system,” as recited by amended Claim 1 (emphasis added).

Accordingly, Applicants submit that Claim 1 is not anticipated by *Armes*, and respectfully request withdrawal of the rejection under 35 U.S.C. § 102(b).

Independent Claims 13, 17, and 29 include features similar to those discussed above with respect to Claim 1 and are believed to be patentable for at least the same reasons as discussed above with respect to Claim 1.

The other rejected claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Because each dependent claim also is deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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